

AN ORDINANCE approving the awarding of Reference #5013 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and ALLEN COUNTY MOTORS, INC. for the City of Fort Wayne Technical Services Department and Street Engineering Department.

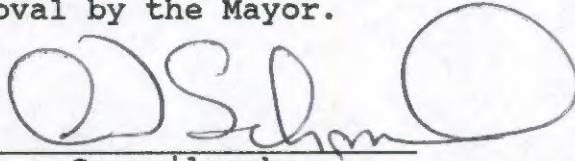
NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #5013 between the City of Fort Wayne, by and through its Department of Purchasing and ALLEN COUNTY MOTORS, INC. for the City of Fort Wayne Technical Services Department and Street Engineering Department, respectfully for:


the purchase of two (2) 4-wheel drive compact utility vehicles for the Technical Services Department and Street Engineering Department;

involving a total cost of Thirty-Nine Thousand Sixty-Six and no/100 Dollars (\$39,066.00), all as more particularly set forth in said Reference #5013 which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.


Councilmember

APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCaulay, City Attorney

REFERENCE NO.	5013	
DEPARTMENT:	TECHNICAL SERVICES & STREET ENGINEER	
DATE:	8-20-91	
ITEM/SERVICE:	4WD COMPACT UTILITY VEHICLES	
PURCHASING INFORMATION		
ADVERTISED BID:	YES	
DATES ADVERTISED:	7-19-91 AND 7-26-91	
OPENING DATE:	8-8-91	
WRITTEN QUOTE:	NO	
DUE DATE:		
VERBAL QUOTE:	NO	
SINGLE SOURCE:	NO	
NO OF VENDORS NOTIFIED:	7	
NO. OF VENDORS RECEIVING BID/QUOTE	4	
NO. OF VENDORS RETURNING BID/QUOTE:	2	
NO. OF VENDORS DISQUALIFIED:	0	
NO. OF VENDORS NOT RESPONDING:	5	
DATE SENT TO DEPT FOR RECOMM:	8-9-91	
DATE RECOMM RECEIVED IN PURCH:	8-20-91	
COUNCIL INFORMATION	DATES SENT	EXTENSION DATES
DATE INFO SENT TO LAW DEPT:	8-21-91	
INTRODUCTION DATE:	8-27-91	
DISCUSSION DATE:	9-3-91	
PASSAGE DATE:	9-10-91	
ORDINANCE NO.:		

REFERENCE NO. 5013
4WD COMPACT UTILITY VEHICLES
TSV/SEN
8-8-91

DESCRIPTION	HARE CHEV	AC MOTORS
MAKE	CHEV	FORD EXPLORER
MODEL	S10 BLAZER	4DR/4WD
COST PER UNIT	\$25,163.50	\$19,533.00
LESS DISC/UNIT	\$3,838.50	INCLUDED
TOTAL FOR TWO	\$42,650.00	\$39,066.00
DELIVERY TIME ARO ASAP/FACTORY	APPROX 90 DAYS	
VALIDITY BID PRICE	30/60 DAYS	TILL FCTY INCR

FRONT PAGE/INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
PHONE 219-427-1101

BID OPENING DATE 8-8-91 @ 11:00 AM BID REFERENCE # 5013

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER".

THIS INVITATION FOR BID IS FOR TWO (2) 1991/1992 4WD COMPACT UTILITY VEHICLES - 4 DOOR PER SPECIFICATIONS

AND REQUESTED BY TECHNICAL SERVICES

THIS BID REQUIRES A XXXX 5% BID BOND, CERTIFIED OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: _____% IF PAID WITHIN _____ DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME Allen County Motors, Inc.

STREET ADDRESS 2300 W. JEFFERSON BLVD.

CITY FT. WAYNE PHONE # 432-9545

BY [Signature]
REPRESENTATIVE SIGNATURE

1991/1992
4WD COMPACT UTILITY VEHICLE - 4 DOOR

- | | |
|--|----------------------|
| 1. <u>Engine</u> - 6 Cylinders
Engine Displacement - 4.0 Litre Minimum. | <u>4.0L</u> |
| 2. <u>Wheelbase</u> - 100" Minimum. | <u>112</u> |
| 3. <u>Body</u> - 4 x 4 Compact utility Vehicle - 4 Door. | <u>Explored</u> |
| 4. <u>Seats</u> - Front Bucket, Rear Split Bench. <i>FRONT CAPTAIN CHAIRS</i> | <u>yes</u> |
| 5. <u>Glass</u> - All Windows Tinted, Safety Glass. <i>PRIVACY REAR</i> | <u>yes</u> |
| 6. <u>Windshield Wipers</u> - Electric, Multiple Speed Intermittent W/Washers. | <u>yes</u> |
| 7. <u>Floor Mats</u> - Standard | <u>yes</u> |
| 8. <u>Color</u> - Standard Factory Color. | <u>yes</u> |
| 9. <u>Transmission</u> - Automatic, Engineered for Engine Specified. | <u>yes</u> |
| 10. <u>Electrical System</u> - 12 Volt Standard. | <u>yes</u> |
| 11. <u>Differential</u> - Rear Diff. Limited Slip Type. | <u>yes</u> |
| 12. <u>Fuel Tank</u> - Maximum Capacity for Model With Shield. | <u>yes 19 gal</u> |
| 13. <u>Battery</u> - Maximum Available thru Manufacturer Production for Current Model. | <u>12 AMP / 500A</u> |
| 14. <u>Alternator</u> - Maximum Available thru Manufacturer Production for Current Model. | <u>95 AMP</u> |
| 15. <u>Suspension</u> - Minimum of <u>(2700)</u> lbs. on Front and <u>3200</u> lbs. on Rear. Gas-Pressurized Shocks. <i>yes front 2750# All else as spec</i> | <u>yes</u> |
| 16. <u>Wheels</u> - Standard. | <u>yes</u> |
| 17. <u>Tires</u> - Five (5) Full Size All Weather Tires P225/70R x 15SL Front End to be Aligned and All Tires and Wheels to be Balanced. | <u>yes</u> |
| 18. <u>Steering</u> - Power Steering. | <u>yes</u> |
| 19. <u>Brakes</u> - Power Brakes. <i>Rear wheel ANTILOCK</i> | <u>yes</u> |
| 20. <u>Mirrors</u> - One (1) Interior, Day or Night None-Glare. Outside. <i>power</i> Left Hand & Right Hand 4 1/2" x 6" Minimum. | <u>yes</u> |
| 21. <u>Cigar Lighter</u> - Required. | <u>yes</u> |
| 22. <u>Jack & Tool</u> - Required. | <u>yes</u> |

23. Heater & Air Conditioning - Standard, Factory Installed. yes
24. Cooling System - Heavy Duty & Auxiliary Cooler yes
25. Radio - Factory Installed AM/FM. CASSETTE yes
26. Bumpers - Required, Finished Front and Rear. yes
27. Rear Window Defroster, Electric yes
28. Power Door Locks/Power Windows yes
29. Skid Plate, Transfer Case yes
30. Tilt Steering Wheel / speed CONTROL yes
31. Console Between Front Bucket Seats yes
32. Rear Window Wiper/Washer yes
33. Digital Clock yes
34. Light Group yes
35. Factory Trailer Wiring Harness yes
36. Weight Distribution Trailer Hitch (2" Ball) yes
37. Warranty - Indicate extent of Warranty and Items Covered.

*THIS UNIT IS XLT AND INCLUDES MORE EQUIPMENT ATTACHED
 FOB: FORT WAYNE IN A PACKAGE FOR LESS MONEY.*

MAKE:

Ford Explorer

MODEL:

4door 4wheel Dr.

COST PER UNIT:

\$19,533.⁰⁰

LESS DISCOUNT:

\$incls

TOTAL FOR TWO (2)

\$39,066.⁰⁰

DELIVERY TIME ARO:

Approx. 90 DAYS

VALIDITY OF BID PRICE:
(IN CALENDAR DAYS)

*good till increase by
MANUFACTOR*

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

1. Governmental Unit: CITY of FT. WAYNE
 2. County: ALLEN
 3. Bidder (Firm): ALLEN COUNTY MOTORS INC.
 Address: 2300 W. JEFFERSON BLVD.
 City/State: FT. WAYNE IN 46802
 4. Telephone Number: (219) 1432-9545
 5. Agent of Bidder (if applicable): DENNIS MILLER FLEET MGR

Pursuant to notices given, the undersigned offers bid(s) to CITY OF FREDERICK (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

Signature of Bidder or Agent

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Bid Ref. #5013

Class or Item	Quantity	Unit	Description	Unit Price	Amount
New 1992 FORD Explorer 4door, 4X4	ONE UNIT			\$19,533.00	
AS per ATTACHED specifications	TWO UNITS			\$39,066.00	

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
Allen) SS:
COUNTY)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

Allen County Motors, Inc.
Bidder (Firm)

Signature of Bidder or Agent

Subscribed and sworn to before me this 8 day of Aug, 1991.
My Commission Expires: 8-17-93
County of Residence: Allen J. J. J. Notary P.

.....Joann Weaver
Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for _____ and promises to pay the undersigned bidder upon delivery the price _____ classes or items numbered _____ quoted for the materials stipulated in said bid.

Contracting Authority Members:

Date: _____

Fidelity and Deposit Company

HOME OFFICE

OF MARYLAND

BALTIMORE, MD. 21203

BID BOND

KNOW ALL MEN BY THESE PRESENTS:

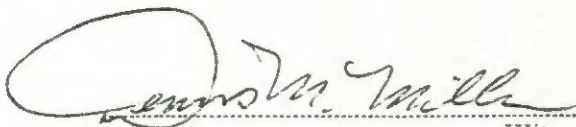
That we, ALLEN COUNTY MOTORS, INC.2300 W. Jefferson Blvd.Fort Wayne, IN 46804

as Principal, (hereinafter called the "Principal"), and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, of Baltimore, Maryland, a corporation duly organized under the laws of the State of Maryland, as Surety, (hereinafter called the "Surety"), are held and firmly bound

unto CITY OF FORT WAYNEOne Main StreetFort Wayne, IN 46802as Obligee, (hereinafter called the "Obligee"), in the sum of Ten Percent (10%) of Contractors Maximum Bid Dollars (\$), for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.WHEREAS, the Principal has submitted a bid for Two (2) new 4-wheel drive compact utility vehicles, four door.

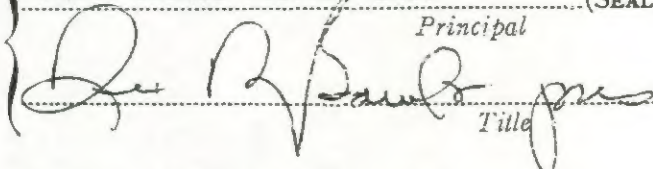
NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a contract with the Obligee in accordance with the terms of such bid and give such bond or bonds as may be specified in the bidding or contract documents with good and sufficient surety for the faithful performance of such contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter into such contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 8th day of August A.D. 19 91



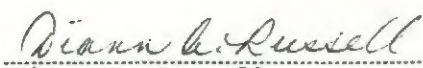
 Witness

ALLEN COUNTY MOTORS, INC. (SEAL)

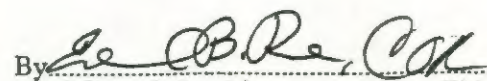
 Principal


 Title

FIDELITY AND DEPOSIT COMPANY OF MARYLAND
 Surety



 Diann A. Russell Witness

By  (SEAL)

 Edward B. Rice Title
 Attorney-in-Fact

Power of Attorney
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
HOME OFFICE, BALTIMORE, MD

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by C. M. PECOT, JR., Vice-President, and C. W. ROBBINS Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint Duane E. Lupke, Donald L. Coffey, Edward B. Rice, Virginia T. Axson, Gerald Clancy and Judith A. Snyder, all of West Wayne, Indiana, EACH.....

its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings.....

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of Duane E. Lupke, et al, dated, October 1, 1987.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 24th day of July, A.D. 1990

ATTEST:



FIDELITY AND DEPOSIT COMPANY OF MARYLAND

C. W. Robbins
Assistant Secretary

By

Ch. Rice
Vice-President

STATE OF MARYLAND
CITY OF BALTIMORE

ss:

On this 24th day of July, A.D. 1990, before the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and qualified, came the above-named Vice-President and Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal, at the City of Baltimore, the day and year first above written.



Carol J. Fader
Notary Public Commission Expires August 1, 1992

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 16th day of July, 1969.

RESOLVED: "That the facsimile or mechanically reproduced signature of any Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company, this 8th day of August, 1991.

044-2987

Christopher T. Maddox
Assistant Secretary

Read the first time in full and on motion by GiaQuinta, seconded by Redd, and duly adopted, read the second time title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on 8-27-91, the 8 o'clock P.M., E.S.

DATED: 8-27-91

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Helmke, seconded by Henry, and duly adopted, placed on its passage. PASSED 8-27-91 by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>			<u>1</u>
BRADBURY	<u>✓</u>			
BURNS	<u>✓</u>			
EDMONDS	<u>✓</u>			
GiaQUINTA				<u>✓</u>
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
REDD	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 9-10-91

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. A-225-91 on the 10th day of September, 1991.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

SEAL
Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of September, 1991 at the hour of 4:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 16th day of September 1991, at the hour of 12:15 o'clock P.M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

DIGEST SHEET

TITLE OF ORDINANCE:

Special

J-91-08-25

DEPARTMENT REQUESTING ORDINANCE:

Purchasing

SYNOPSIS OF ORDINANCE: An ordinance for the City of Fort Wayne Technical Services and Street Engineering approving the award of Ref. No. 5013 for the purchase of two (2) 4WD Compact Utility Vehicles.

IF NOT LOWEST, WHO WAS AND WHY WERE THEY NOT AWARDED:

EFFECT OF PASSAGE: Replacement Vehicles for Technical Services and Street Engineering

IF REPLACEMENT, WHAT NECESSITATES: Replacement for vehicles previously turned in to the City Auction because they required expensive repairs.

EFFECT ON NON PASSAGE: Inspection and engineering personnel will not have dependable transportation to reach job sites.

PRIOR APPROVAL REQUESTED:

MONIES INVOLVED: ALLEN COUNTY MOTORS \$39,066.00

PRICE AGREEMENT: No

PURCHASE ORDER: Yes

ACCOUNT INFORMATION: TECHNICAL SERVICES 513-523-W101-4441
STREET ENGINEERING 128-010-OFFC-4441

PRIOR APPROVAL;
(IF APPLICABLE)

BILL NO. S-91-08-25

REPORT OF THE COMMITTEE ON FINANCE

MARK E. GIAQUINTA, CHAIRMAN
DONALD J. SCHMIDT, VICE CHAIRMAN
BRADBURY, REDD, BURNS

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) approving the awarding
of Reference #5013 by the City of Fort Wayne, Indiana, by and
through its Department of Purchasing and ALLEN COUNTY MOTORS,
INC. for the City of Fort Wayne Technical Services Department
and Street Engineering Department

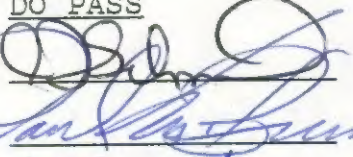
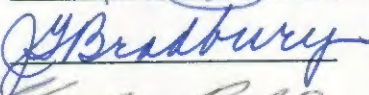

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

DATED: 9-10-91.

Sandra E. Kennedy
City Clerk